

REMARKS

Reconsideration of the application is respectfully requested, if view of the following remarks.

The present invention is directed to the discovery that decreased absorption of carotenoids by individuals ingesting phytosterol-containing compositions can be ameliorated by using compositions according to the invention, which include phytosterols or derivatives in an amount of at least 0.5g per 100g and carotenoids in an amount of at least 1 mg per 100-150 g, and wherein at least 20 wt% of the carotenoids is (are) in another phase from at least 50% of the total amount of phytosterol present and wherein the carotenoids comprise B-carotene and lycopene in a ratio of between 1:20 and 1:0.2.

The Office cites as evidence that the above invention is obvious disclosures of (1) a margarine which includes phytosterols and (2) carrots served with melted butter over the carrots. It is unclear why one of ordinary skill would select the margarine with phytosterol over butter or even the myriad other possibilities of spreads available at the time of filing of the application (low fat, very low fat, 80% fat, liquid spreads, etc.), nor of the advantage cited herein, namely amelioration of impairment of carotenoid absorption.

Even less is there any teaching of the claim 13 forms of the invention, namely a sauce, paste, puree, ketchup, soup, juice or similar product. The Office's suggestion that someone would select the phytosterol-containing margarine instead of butter to place on the carrots and then mash it up and thereby arrive at the product of the invention seems far fetched. And even then, the advantages of the invention are not apparent in from the cited art. Moreover, the Office seems to assume, without pointing to any art

teaching, that it would be desirable to mash up a combination of butter and carrots for certain purposes.

In view of the foregoing, it is respectfully submitted that the obviousness rejection should be withdrawn and that the application be allowed.

Respectfully submitted,



Gerard J. McGowan, Jr.
Attorney for Applicant(s)
Reg. No. 29,412

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(201) 840-2297